

# **EXHIBIT 56**

**Kellie Pierce**  
**7/24/2024**

<p>1 UNITED STATES DISTRICT COURT  2 SOUTHERN DISTRICT OF NEW YORK  3  4 SECURITIES AND EXCHANGE )  5 COMMISSION, )  6 )  7 Plaintiff, )  8 ) Civil Action No.  9 v. ) 23-cv-9518-PAE  10 )  11 SOLARWINDS CORP. and )  12 TIMOTHY G. BROWN, )  13 )  14 Defendants. )  15 _____ )  16  17  18  19  20  21  22  23  24  25</p> <p>VIDEOTAPED DEPOSITION OF KELLIE JAIE PIERCE  Plano, Texas  Wednesday, July 24, 2024</p> <p>Reported by  April R. Brunson  Texas CSR No. 7495  Job No. 240724SREP</p> <p>1</p>	<p>1 APPEARANCES:  2  3 For the Plaintiff:  4 UNITED STATES SECURITIES AND EXCHANGE COMMISSION  5 BY: MR. CHRISTOPHER J. CARNEY  6 MS. KRISTEN M. WARDEN  7 MR. CHRISTOPHER M. BRUCKMANN  8 (Via Videoconference)  9 MR. BENJAMIN BRUTLAG  10 (Via Videoconference)  11 100 F Street NE  12 Washington, D.C. 20549  13 202.551.5986  14 carneyc@sec.gov  15 wardenk@sec.gov  16 brutlagb@sec.gov  17 bruckmannnc@sec.gov  18  19 For Defendant Solarwinds Corp. and for the Witness:  20  21 LATHAM &amp; WATKINS, L.L.P.  22 BY: MR. SERRIN TURNER  23 BY: MR. NICOLAS LUONGO  24 1271 Avenue of the Americas  25 New York, New York 10020  26 212.906.1207  27 serrin.turner@lw.com  28 nicolas.luongo@lw.com  29 - and -  30 SPENCER FANE  31 BY: MR. JAMES T. DRAKELEY  32 5700 Granite Parkway  33 Suite 650  34 Plano, Texas 75024-6622  35 972.324.0350  36 972.324.0301 (Fax)  37 jdrakeley@spencerfane.com  38  39  40  41  42  43  44  45</p> <p>3</p>
<p>1 UNITED STATES DISTRICT COURT  2 SOUTHERN DISTRICT OF NEW YORK  3  4 SECURITIES AND EXCHANGE )  5 COMMISSION, )  6 )  7 Plaintiff, )  8 ) Civil Action No.  9 v. ) 23-cv-9518-PAE  10 )  11 SOLARWINDS CORP. and )  12 TIMOTHY G. BROWN, )  13 )  14 Defendants. )  15 _____ )  16  17  18  19  20  21  22  23  24  25</p> <p>VIDEOTAPED DEPOSITION OF KELLIE JAIE PIERCE, taken  on behalf of the Plaintiff, at the Law Offices of  Spencer Fane located at 5700 Granite Parkway, Suite 650,  Plano, Texas, beginning at 9:30 a.m. and ending at  3:10 p.m. on Wednesday, July 24, 2024, before April R.  Brunson, Certified Shorthand Reporter Number 7495.</p> <p>2</p>	<p>1 APPEARANCES (CONTINUED):  2  3 FOR THE DEFENDANT TIMOTHY G. BROWN:  4  5 KING &amp; SPALDING, L.L.P.  6 BY: MR. ALEC KOCH  7 (Via Videoconference)  8 1700 Pennsylvania Avenue, NW  9 Suite 900  10 Washington, D.C. 20006  11 202.737.0500  12 akoch@kslaw.com  13  14 Also Present:  15 JASON BLISS, SolarWinds Corporate Representative  16  17 The Videographer:  18 JOHN HINES  19  20 Certified Shorthand Reporter:  21 APRIL R. BRUNSON, TEXAS CSR NO. 7495  22  23  24  25</p> <p>4</p>

<p>1 BY MR. CARNEY: 2 <b>Q.</b> Okay. Ms. Pierce, I've handed you what's been 3 marked as Pierce Exhibit 1. And I'll just represent 4 that this is just a printout of your LinkedIn profile, 5 and I thought it would sort of help facilitate our 6 discussion today. 7 Do you recognize this as your LinkedIn 8 profile? 9 <b>A.</b> Yes. 10 <b>Q.</b> Okay. And did you prepare this LinkedIn 11 profile? It sounds like a silly question, but... 12 <b>A.</b> Yes. I... 13 <b>Q.</b> And is -- you know, just looking it over 14 quickly but knowing that you prepared it, is this an 15 accurate depiction of your employment history? 16 <b>A.</b> Yes. 17 <b>Q.</b> Okay. And I promise you I'm not going to -- 18 I'm not going to go through the whole profile, so I just 19 want to focus on your time at SolarWinds, so I think 20 that's the third page of the document, and I just want 21 to ask you some questions about that. 22 And you see that it says: Security, 23 privacy and compliance director from February 2019 to 24 June 2021. 25 Is that accurate?</p> <p style="text-align: center;">17</p>	<p>1 <b>Q.</b> And so you used the word "establish" in your 2 answer, too, so what was your specific role in 3 establishing -- let's start with the security program? 4 <b>A.</b> I -- I did not, you know, do anything -- I 5 can't recall anything specifically that I did to 6 establish the security program. 7 I sat in the security team or in that -- 8 under Tim, Tim's umbrella, so I sat in the security 9 area. But I didn't do -- I can't point to anything 10 specific that I did to establish the security program. 11 <b>Q.</b> And you mentioned Tim. Are you referring to 12 Tim Brown? 13 <b>A.</b> Tim Brown, yes. 14 <b>Q.</b> And was Mr. Brown your sort of direct 15 supervisor the entire time you were a salaried employee 16 at SolarWinds? 17 <b>A.</b> Yes. 18 <b>Q.</b> Okay. And you said that you can't recall 19 anything specifically that you did to establish the 20 security program. Do you know who or what individual or 21 individuals established the security program while you 22 were there? 23 <b>A.</b> No, not specifically established the security 24 program, no. 25 <b>Q.</b> And how about the -- in that first sentence,</p> <p style="text-align: center;">19</p>
<p>1 <b>A.</b> Yes. 2 <b>Q.</b> I mean, let me clarify. It says that on the 3 document, but is that an accurate time frame? 4 <b>A.</b> Yes. 5 <b>Q.</b> Okay. And so let me -- let me just ask you 6 about the first part of it here. It says: Establish 7 security, privacy and compliance programs for 8 SolarWinds. 9 Why don't we just stop right there. What 10 does that mean that you established the security, 11 privacy and compliance programs for SolarWinds? 12 <b>A.</b> I worked at SolarWinds to -- on various 13 programs, so the privacy program, compliance programs 14 and sat within the security program of SolarWinds and 15 helped to establish, like, for example their SOC 2 16 program or GDPR program. 17 <b>Q.</b> Okay. I think I might have missed a word at 18 the start. You worked to do what on the various 19 programs? 20 <b>A.</b> To establish, to bring in, like, SOC 2. 21 <b>Q.</b> Okay. 22 <b>A.</b> Also as a consultant, I helped establish or do 23 a lot of the coordination work that was required across 24 the company for the privacy -- or the data privacy GDPR 25 program.</p> <p style="text-align: center;">18</p>	<p>1 it also talks about how you established the compliance 2 program for SolarWinds. Can you tell me what efforts 3 you made to establish the compliance program at 4 SolarWinds? 5 <b>A.</b> From -- again, I worked on the SOC 2 aspects 6 of compliance within SolarWinds. It's not all 7 encompassing of everything of compliance at SolarWinds. 8 Just the SOC 2s and ISO 27001 certifications. 9 <b>Q.</b> Okay. So when you use the term "compliance," 10 it's referring to the SOC 2s and the ISO 27001? 11 <b>A.</b> Correct. 12 <b>Q.</b> I'll just move on to the next part. And it 13 says that you were involved in coordinating and 14 communicating compliance-related project status, 15 establishing common policies and practices. And in 16 parentheses, it says: Security, vendor/asset reviews, 17 data retention, data privacy, vulnerability, pen testing 18 and security training. 19 So I want -- I just want to break that up 20 and walk through a couple of those items. So let's 21 start with the vulnerability. Can you talk to me about 22 the common policies and practices that you established 23 relating to vulnerability? 24 <b>MR. TURNER:</b> Objection, form. 25 <b>A.</b> No, I can't.</p> <p style="text-align: center;">20</p>

<p>1 BY MR. CARNEY: 2 <b>Q.</b> And just with -- the same question with 3 respect to pen testing, can you tell me about the common 4 policies and practices you established relating to pen 5 testing? 6 <b>A.</b> I would coordinate with the vendors -- pen 7 test vendors, make sure we have the contract in place 8 and then work with the product teams to perform the 9 tests which was a requirement of the SOC 2s. 10 <b>Q.</b> And in the context of the work that you did at 11 SolarWinds, what does pen testing mean? 12 <b>A.</b> I don't know. 13 <b>Q.</b> More generally, do you know what pen testing 14 refers to? 15 <b>A.</b> We would -- the vendors would test -- test the 16 product. How they conducted the test or what exactly 17 they tested, I'm not -- I'm not exactly sure. I'm not a 18 technical person. 19 <b>Q.</b> Okay. And is "pen" short for "penetration"? 20 <b>A.</b> I believe, yes. 21 <b>Q.</b> Okay. All right. Let me ask you then about 22 the -- you mentioned security training. What -- what 23 was your involvement in establishing common policies and 24 practices related to security training? 25 <b>A.</b> As it relates to the SOC 2 or the ISO 27001, I</p> <p style="text-align: center;">21</p>	<p>1 offer any technical input to that program? 2 <b>A.</b> No. 3 <b>Q.</b> And how about with respect to pen testing? 4 Did you offer any technical input? 5 <b>A.</b> No. 6 <b>Q.</b> Did you have any technical responsibility for 7 network monitoring for security vulnerabilities? 8 <b>A.</b> No. 9 <b>Q.</b> All right. Putting aside the technical 10 responsibility for that, did you have any administrative 11 responsibility for network monitoring? 12 MR. TURNER: Objection to form. 13 <b>A.</b> No. 14 BY MR. CARNEY: 15 <b>Q.</b> Did you have any technical responsibility for 16 the company's password policy? 17 <b>A.</b> No. 18 <b>Q.</b> Did you have any sort of nontechnical 19 administrative responsibility for the company's password 20 policy? 21 MR. TURNER: Objection to form. 22 <b>A.</b> Could you repeat that? 23 BY MR. CARNEY: 24 <b>Q.</b> Sure. 25 I was wondering, putting aside -- you just</p> <p style="text-align: center;">23</p>
<p>1 would work with -- in order to obtain records to show 2 that people had completed their security training. 3 I also coordinated like a training 4 presentation between Tim Brown and our legal team to -- 5 for some of the training over my tenure there. 6 <b>Q.</b> Was this one training presentation? 7 <b>A.</b> Correct. 8 <b>Q.</b> And what was that training presentation 9 related to? 10 <b>A.</b> I do not remember. 11 <b>Q.</b> And so when you say you coordinated training 12 presentation between Tim Brown and the legal team, was 13 it a training for them or with Tim Brown and the legal 14 team reviewing the training to give to other people? 15 <b>A.</b> I don't remember exactly how the -- how the 16 training was rolled out or if it was rolled out. 17 <b>Q.</b> Okay. And I think you mentioned a minute ago 18 that -- you said something along the line -- and correct 19 me if I'm wrong -- that you don't have sort of a 20 technical background; is that right? 21 <b>A.</b> That's correct. 22 <b>Q.</b> So I'm just going to ask you some -- some 23 questions, and it might seem silly given what you just 24 said, but I just want to establish for the record. 25 With respect to security training, did you</p> <p style="text-align: center;">22</p>	<p>1 said you don't have any technical responsibility for the 2 password policy. Do you have any -- did you have any 3 nontechnical sort of administrative responsibility for 4 SolarWinds' password policy? 5 MR. TURNER: Same objection. 6 <b>A.</b> For the -- for the policies, my role was 7 really just to coordinate against -- with the technical 8 people, with Tim on any of the policies including the 9 password policy, just to make -- we had an annual review 10 requirement. 11 BY MR. CARNEY: 12 <b>Q.</b> Okay. 13 <b>A.</b> So it was more on the coordination. 14 <b>Q.</b> And you said "any of the policies." So 15 besides the password policy, what other policies are you 16 referring to? 17 <b>A.</b> I don't recall all of them. I just -- I know 18 the password policy. I remember the password policy 19 since we're talking about it. 20 <b>Q.</b> Were the IT access controls one of the 21 policies? 22 <b>A.</b> Yes. 23 <b>Q.</b> And so you would have had responsibility for 24 coordinating the review of that policy? 25 <b>A.</b> Correct.</p> <p style="text-align: center;">24</p>

<p>1 Q. And what do you understand IT access controls 2 to refer to?</p> <p>3 A. The controls around the IT systems regarding 4 access.</p> <p>5 Q. And just to follow up, you mentioned 6 coordinating with Mr. Brown and the legal team regarding 7 the security training. What -- what was your sort of -- 8 how would you describe your role as it related to the 9 security training?</p> <p>10 A. Just a coordinator, so putting together the 11 presentation or -- and then circulating it to the right 12 people for their inputs and then getting that reviewed 13 by a leader for -- as a final document.</p> <p>14 Q. Okay. So if I -- and you can always feel free 15 to correct me if I'm wrong, but as I understand, someone 16 else would put together a draft of the presentation, and 17 then you would coordinate getting that to the 18 appropriate people?</p> <p>19 A. I don't recall exactly how it was done. It 20 may have been a draft started with various policy 21 details, but at the end, the -- what was presented or 22 what they wanted to cover was covered by both Tim and 23 the -- and the legal team.</p> <p>24 Q. Are you familiar with something called the 25 Secure Development Life Cycle?</p> <p style="text-align: center;">25</p>	<p>1 MR. TURNER: Objection, foundation.</p> <p>2 A. NIST has many different frameworks so not 3 necessarily.</p> <p>4 BY MR. CARNEY:</p> <p>5 Q. Okay. And so -- that's fair enough. So I'm 6 trying to understand when you use the term "NIST 7 framework" in your LinkedIn profile here, which NIST 8 framework were you referring to?</p> <p>9 A. Just in general NIST, not any specific. Just 10 NIST as a framework.</p> <p>11 Q. And what is your understanding as to the 12 purpose of that framework?</p> <p>13 A. NIST provides common controls and a framework 14 for -- for companies to leverage as a guide.</p> <p>15 Q. And do you recall whether they -- they have a 16 specific cybersecurity framework?</p> <p>17 MR. TURNER: Objection to form.</p> <p>18 A. I don't know.</p> <p>19 BY MR. CARNEY:</p> <p>20 Q. Do you have an understanding of whether 21 SolarWinds followed the NIST framework when you worked 22 there?</p> <p>23 MR. TURNER: Objection to form.</p> <p>24 A. I don't know. I don't have any reason to 25 believe they wouldn't.</p> <p style="text-align: center;">27</p>
<p>1 A. Yes.</p> <p>2 Q. What's that?</p> <p>3 A. At a high level, a document that provides the 4 engineering teams with a guideline of how they develop 5 software.</p> <p>6 Q. And what did you understand the purpose of the 7 guidelines to be?</p> <p>8 A. As a -- to establish a guide, a common 9 practice.</p> <p>10 Q. Okay. And obviously the word "secure" appears 11 in the term "Security Development Life Cycle," but was 12 there -- do you have an understanding as to what's meant 13 by "secure" in that context?</p> <p>14 A. No, I don't. I don't know -- understand the 15 details of the SDLC or Secure Development Life Cycle.</p> <p>16 Q. Okay. And I'm going to turn you back to 17 Exhibit 1, page 3, your LinkedIn profile. After the 18 part that I just read, it says: Measuring companywide 19 security-related risk using NIST -- and that's all 20 capitals, N-I-S-T -- framework and reporting overall 21 program status to executive management on a quarterly 22 basis.</p> <p>23 So first of all, NIST there, is that a 24 reference to the National Institute of Standards and 25 Technology cybersecurity framework?</p> <p style="text-align: center;">26</p>	<p>1 BY MR. CARNEY:</p> <p>2 Q. So just looking at your description in the -- 3 in your LinkedIn profile, how did you measure the 4 companywide security-related risk using the NIST 5 framework?</p> <p>6 A. I, in this role, would often look at different 7 NIST or compliance efforts like FedRAMP and evaluate 8 based on, you know, my -- my view, my limited knowledge 9 and policies that we had or -- or things I had seen in 10 actual audits to evaluate various frameworks that I was 11 requested to -- to evaluate or certifications that we 12 may look at going after.</p> <p>13 Q. Okay. And so let me -- let me just break that 14 down a little. You talked about that you would evaluate 15 based on your limited knowledge. So can you just 16 explain how -- how you would evaluate if you had limited 17 knowledge?</p> <p>18 A. As I stated before, I'm not a technical 19 person, so most of these, you know, I would -- I could 20 coordinate. I could find the NIST framework, put it in 21 a document and often work with others to -- for input 22 and then make my -- my best guess, not as a technical 23 person and not as an auditor, to evaluate, you know, 24 where I felt the -- if we were meeting or, like, able to 25 achieve that particular control.</p> <p style="text-align: center;">28</p>

<p>1 Q. All right. And so how -- if you didn't have 2 the sort of technical background, how were you able to 3 make that best guess whether you were meeting the 4 criteria or not? 5 A. Often I would have a third-party auditor. We 6 would have external people look at things. Or I would 7 solicit information from product managers or leadership. 8 Q. So were you -- when you talk about making your 9 best guess, were you flagging things that you thought 10 other folks should look at? Was that the role? 11 A. Correct. 12 Q. Are you familiar with NIST scorecards? 13 MR. TURNER: Object to form. 14 A. Yes. 15 BY MR. CARNEY: 16 Q. And what's a NIST scorecard? 17 A. Within SolarWinds, the scorecard that we 18 used -- or that we -- that was created graded different 19 criteria. 20 Q. And what kind of different criteria? 21 MR. TURNER: Objection, foundation. 22 BY MR. CARNEY: 23 Q. If you know. 24 A. I don't know. 25 Q. A little while ago when you talked about, you</p> <p style="text-align: center;">29</p>	<p>1 how they determined the score? 2 A. No, I don't know. 3 Q. And do you know whether when they were 4 determining the score, whether they were receiving input 5 from, for instance, engineers? 6 A. I don't know. 7 Q. Back on Exhibit 1, page 3, that same sentence 8 we looked at, it mentioned that your report overall 9 program status to executive management on a quarterly 10 basis. 11 What form did those reports that you refer 12 to there take? 13 A. PowerPoint. 14 Q. PowerPoints? Okay. And forgive me if you've 15 already described this, but what was your role in those 16 PowerPoints in those reports? 17 A. Again, a coordination role. 18 Q. And did you have any responsibility to ensure 19 that those PowerPoints were accurate? 20 A. No. 21 Q. Who, to your understanding, had a 22 responsibility to ensure that those PowerPoints were 23 accurate? 24 A. Rani -- Tim or Rani would have more -- more 25 responsibility.</p> <p style="text-align: center;">31</p>
<p>1 know, your role in sort of assessing in the first 2 instance whether particular criteria were met, you said 3 you were looking to see if we were meeting or able to 4 achieve that particular control. What do you mean by 5 "control"? What's a control? 6 A. Usually with the SOC 2 or ISO or NIST, there's 7 standard language around various criteria, so the 8 criteria is like the control -- is the control. 9 Q. So the technical criteria that has to be met 10 is the control? 11 A. Correct. 12 Q. And just back to the NIST scorecard for a 13 second, did you have any role in preparing NIST 14 scorecards? 15 A. A coordination role. 16 Q. And what was that coordination role? 17 A. Just on a -- on the cadence that they needed 18 it, input from Rani Johnson or Tim Brown or others, 19 maybe Eric Quitugua to put together the -- just the 20 packet, the PowerPoint presentation. 21 Q. So what type of information were Mr. Brown or 22 Ms. Johnson giving you to input? 23 A. They would provide the highlights, and they 24 would determine the -- the score. 25 Q. Okay. And do you have any understanding of</p> <p style="text-align: center;">30</p>	<p>1 Q. Did you have an understanding as to -- I'll 2 use the expression, like, the buck stopped here, if 3 there was, like, one person that had the responsibility 4 to make sure that the final report that was going to 5 executive management was accurate? 6 A. To me, it would be Rani. She would -- she 7 would usually present those. 8 Q. And when you use the term "executive 9 management" in your profile here, who are you referring 10 to? 11 A. I'm not -- I was not part of those meetings so 12 I'm not exactly sure who Rani presented it to, but I 13 know she would present it to executive management. 14 MR. TURNER: Just a note for the court 15 reporter, it's R-A-N-I. 16 THE REPORTER: Thanks. 17 MR. CARNEY: Thank you, sir. 18 BY MR. CARNEY: 19 Q. Okay. Later on -- and this is -- maybe this 20 is -- it looks like maybe the last sentence of that, 21 your SolarWinds description. 22 It says: Enable security adoption through 23 quarterly security improvement plans for various 24 departments such as engineering (architecture, dev, 25 SRE/DevOps) customer support, marketing and sales.</p> <p style="text-align: center;">32</p>



<p>1 Development Life Cycle was accurate?</p> <p>2 MR. DRAKELEY: Object to form.</p> <p>3 A. No.</p> <p>4 BY MR. CARNEY:</p> <p>5 Q. Okay. Let me ask you more generally then.</p> <p>6 While you were at SolarWinds, did anyone</p> <p>7 ever express concern to you that the publicly posted</p> <p>8 security statement on the website was not accurate?</p> <p>9 A. No.</p> <p>10 Q. Did anyone ever express concerns to you that</p> <p>11 any particular individual items on the publicly posted</p> <p>12 security statement were not accurate?</p> <p>13 A. Not that I recall.</p> <p>14 Q. When we were going over your LinkedIn profile</p> <p>15 earlier -- I'm not going to show you that again -- we</p> <p>16 talked about the NIST framework. Do you recall that?</p> <p>17 A. Yes.</p> <p>18 Q. Okay. Are you familiar with the NIST 800-53</p> <p>19 document?</p> <p>20 MR. TURNER: Object to form.</p> <p>21 BY MR. CARNEY:</p> <p>22 Q. And to be more specific, that's the NIST</p> <p>23 Special Publication 800-53 Security and Privacy Controls</p> <p>24 for Federal Information Systems and Organizations.</p> <p>25 A. I am aware of the NIST framework, but I would</p> <p style="text-align: center;">45</p>	<p>1 Q. And what is it?</p> <p>2 MR. TURNER: Sorry. The e-mail or the</p> <p>3 attachments?</p> <p>4 BY MR. CARNEY:</p> <p>5 Q. Let's start with the e-mail. What is the</p> <p>6 e-mail?</p> <p>7 A. This is an e-mail summary of the FedRAMP</p> <p>8 moderate controls.</p> <p>9 Q. And what are the FedRAMP moderate controls?</p> <p>10 A. The FedRAMP program provides a list of</p> <p>11 controls. You can have low, moderate or high. So this</p> <p>12 Excel spreadsheet that you provided is the moderate</p> <p>13 FedRAMP controls.</p> <p>14 Q. And what's the difference between a low,</p> <p>15 moderate or high control?</p> <p>16 A. I'm also not a FedRAMP expert. So I'm not</p> <p>17 100 percent sure.</p> <p>18 Q. And what was your involvement in the --</p> <p>19 assessing FedRAMP moderate controls, if any?</p> <p>20 A. Again, a coordination role, working with</p> <p>21 product managers to review this large list of controls</p> <p>22 and then provide, based on my -- you know, my limited</p> <p>23 experience with both FedRAMP and these specific</p> <p>24 controls, if we were -- if I'd seen documents in place,</p> <p>25 if I -- if we might have something in place or there</p> <p style="text-align: center;">47</p>
<p>1 need to see the details to confirm.</p> <p>2 Q. Is -- is NIST 800-53 something that you've --</p> <p>3 a term that you've used?</p> <p>4 A. It's possible.</p> <p>5 Q. All right. Let me show you a document.</p> <p>6 (Exhibit 4 was marked for identification.)</p> <p>7 BY MR. CARNEY:</p> <p>8 Q. And before we get into this, let me ask you,</p> <p>9 we've been going an hour. Would you like a break or you</p> <p>10 want to keep going?</p> <p>11 A. If I can have a break, that would be amazing.</p> <p>12 Q. Sure, sure.</p> <p>13 THE VIDEOGRAPHER: We're off record at</p> <p>14 10:34 a.m.</p> <p>15 (Break was taken.)</p> <p>16 THE VIDEOGRAPHER: We're back on record</p> <p>17 at 10:45 a.m.</p> <p>18 BY MR. CARNEY:</p> <p>19 Q. Okay. Ms. Pierce, before we broke, I'd handed</p> <p>20 you what has been marked as Exhibit 4. And for the</p> <p>21 record, the first Bates stamp of this document is</p> <p>22 SW-SEC00151673.</p> <p>23 First of all, do you recognize this</p> <p>24 document?</p> <p>25 A. Yes.</p> <p style="text-align: center;">46</p>	<p>1 wasn't anything in place, to my knowledge, to -- to</p> <p>2 score, this was the requested compliance initiative to</p> <p>3 see -- this is a preliminary, very beginning, like,</p> <p>4 quick and dirty-type evaluation to see if the company</p> <p>5 wanted to invest in FedRAMP certification.</p> <p>6 Q. And so let me ask you, what would be the</p> <p>7 benefit, as you understood it, of a FedRAMP</p> <p>8 certification?</p> <p>9 A. It is -- it was my understanding that you</p> <p>10 needed to get FedRAMP certified in order to sell to the</p> <p>11 federal government.</p> <p>12 Q. Is the federal government a customer of</p> <p>13 SolarWinds, as you understand it?</p> <p>14 A. I don't know.</p> <p>15 Q. And you mentioned when you talked about your</p> <p>16 coordination role that you worked with product managers</p> <p>17 to review this large list of controls. So can you just</p> <p>18 give me a little more detail, please, of when you say</p> <p>19 "coordinate," like, what exactly were you doing with the</p> <p>20 product managers?</p> <p>21 A. Yeah. So I downloaded this on the Excel</p> <p>22 document, the FedRAMP criteria, I guess, controls and</p> <p>23 circulated that with the product managers for -- I think</p> <p>24 this audit -- or this assessment -- preliminary</p> <p>25 assessment was just for the SaaS products.</p> <p style="text-align: center;">48</p>

Kellie Pierce  
7/24/2024

<p>1 Q. Okay.</p> <p>2 A. So had them -- they -- the product managers</p> <p>3 have the technical -- more technical expertise than I</p> <p>4 would on if their product would meet this -- meet the</p> <p>5 control or -- and so circulated with them and then</p> <p>6 compiled the information and just scored it with a red,</p> <p>7 yellow or green.</p> <p>8 Q. And once again, correct me if my understanding</p> <p>9 is wrong, but -- so you would send out this criteria to</p> <p>10 the appropriate product managers, and they would do the</p> <p>11 initial assessment of whether a particular control was</p> <p>12 met or not; is that fair?</p> <p>13 A. They would, you know, take their best guess on</p> <p>14 understanding the control. FedRAMP is -- the controls</p> <p>15 are pretty lengthy. So they would, you know, take their</p> <p>16 best guess and identify if they knew that their product</p> <p>17 could do -- that met -- met the control or not.</p> <p>18 Q. And then as I understood it, you would take</p> <p>19 their responses and then score it either green, yellow</p> <p>20 or red based on whether it was met or not?</p> <p>21 MR. TURNER: Objection to form.</p> <p>22 A. I would score red, yellow, green based on,</p> <p>23 again, my limited knowledge, what I had seen in other</p> <p>24 audits and also in taking input from the product</p> <p>25 managers.</p> <p>49</p>	<p>1 A. Correct.</p> <p>2 Q. And putting -- putting aside -- and I know you</p> <p>3 mentioned that you have limited technical knowledge.</p> <p>4 Did you take any steps to make sure that the Excel</p> <p>5 document itself accurately captured the information that</p> <p>6 you were being provided by the product managers?</p> <p>7 MR. TURNER: Objection to form.</p> <p>8 Can I help here?</p> <p>9 MR. CARNEY: Sure.</p> <p>10 MR. TURNER: I think she's saying it's</p> <p>11 input into this spreadsheet.</p> <p>12 MR. CARNEY: Right.</p> <p>13 MR. TURNER: Yeah.</p> <p>14 MR. CARNEY: Yes.</p> <p>15 MR. TURNER: Okay. I mean, she said she</p> <p>16 circulated the spreadsheet around.</p> <p>17 THE WITNESS: Yeah. Thank you.</p> <p>18 MR. CARNEY: Okay. Right.</p> <p>19 A. Sorry. If you wouldn't mind -- if you have</p> <p>20 another question.</p> <p>21 BY MR. CARNEY:</p> <p>22 Q. Sure.</p> <p>23 So I think Mr. Turner's clarification is</p> <p>24 that the spreadsheet we're talking about -- and we can</p> <p>25 pull it up in its native form in a little bit -- is the</p> <p>51</p>
<p>1 BY MR. CARNEY:</p> <p>2 Q. And then -- and I'm just trying to follow us</p> <p>3 through chain of command here. After you would do your</p> <p>4 scoring based on what you described as your limited</p> <p>5 knowledge, who would you send it to next?</p> <p>6 A. I don't recall. This e-mail went to several</p> <p>7 people, but I don't recall the review process.</p> <p>8 Q. So do you recall if there was a person or</p> <p>9 persons who had a responsibility to ensure the final</p> <p>10 sort of accuracy of this assessment?</p> <p>11 A. Yeah, there -- not that I'm aware of. This</p> <p>12 is, again, a preliminary review without in-depth</p> <p>13 knowledge of FedRAMP across several products, so I</p> <p>14 don't -- I don't know of anyone that would be ultimately</p> <p>15 responsible. This was just a request of leadership to</p> <p>16 just do a preliminary review of where we were at against</p> <p>17 the FedRAMP controls across four SaaS products.</p> <p>18 Q. And so when you would get input from the</p> <p>19 product managers, what form would that input take?</p> <p>20 Would it be an e-mail? Would it be some kind of</p> <p>21 scorecard?</p> <p>22 A. I believe they -- they would work within Excel</p> <p>23 in the same Excel document.</p> <p>24 Q. So you would share the Excel document with</p> <p>25 them, and then they would put inputs into that document?</p> <p>50</p>	<p>1 one that's attached to this e-mail, right?</p> <p>2 A. Correct.</p> <p>3 Q. And you would share that spreadsheet with the</p> <p>4 product managers, and they would go in directly and</p> <p>5 input their information?</p> <p>6 A. Correct.</p> <p>7 Q. And then based on the information that they</p> <p>8 input, you would do a score of green, yellow or red; is</p> <p>9 that right?</p> <p>10 A. Correct.</p> <p>11 Q. Okay. And then -- and we'll look at this in a</p> <p>12 little bit. You would also add some comments; is that</p> <p>13 right?</p> <p>14 A. Correct.</p> <p>15 Q. Okay. And we'll look at some specifics in a</p> <p>16 little bit, but what -- when you were adding your</p> <p>17 comments, what was that? What were those generally</p> <p>18 based on?</p> <p>19 A. They would be based on my knowledge of audits,</p> <p>20 SOC 2, ISO 27001 audits, predominantly.</p> <p>21 Q. And I guess what I was getting at earlier, is</p> <p>22 it your understanding that this Excel spreadsheet would</p> <p>23 accurately reflect the assessments that you were</p> <p>24 receiving from the product managers?</p> <p>25 MR. TURNER: Objection to form.</p> <p>52</p>



<p>1     <b>A.</b> This is just a preliminary yes, yes, no, maybe  2 kind of exercise in order to determine if we wanted to  3 make the investment to get a third-party auditor which  4 would do a lot of the digging and confirming that  5 everything, you know, that we were meeting. There  6 was -- you know, it really wasn't any -- any more in  7 depth than that.  8 <b>BY MR. CARNEY:</b>  9     <b>Q.</b> Got it. And to be fair -- that's a fair  10 point. So I guess what I'm trying to understand, like a  11 more basic level, let's say, like, Bob the engineer  12 accidentally put his score into the wrong row. Was  13 there any, like, quality check to make sure that --  14     <b>A.</b> No --  15     <b>Q.</b> -- the spreadsheet was accurate?  16     <b>A.</b> No.  17     <b>Q.</b> Okay. So if we look at the cover e-mail here,  18 it's -- you're sending it to Ikong Fu and Ross Fujii.  19 So first of all, who is Ikong Fu?  20     <b>A.</b> I don't recall who Ikong Fu is.  21     <b>Q.</b> Do you know who Ross Fujii is?  22     <b>A.</b> Ross Fujii, I do -- I do know him, but I don't  23 remember his role.  24     <b>Q.</b> And then you copy on the e-mail Jim Hansen.  25 Who is Jim Hansen?</p> <p style="text-align: center;">53</p>	<p>1 quick red-yellow-green approach to review it.  2 <b>BY MR. CARNEY:</b>  3     <b>Q.</b> Okay. And this might be an obvious question,  4 but how did you conclude that 94 percent, 304 of the  5 controls will require a moderate to significant level of  6 effort to implement?  7     <b>A.</b> Again, this was a very preliminary, you know,  8 just a request that we -- that we got to do turnaround  9 pretty quickly, so I made my best guess based on what --  10 what I had seen in the SOC 2 or the ISO 27001 audits.  11     <b>Q.</b> And is the 304 just a combination of the 106  12 yellow and 198 red?  13     <b>A.</b> Yes.  14     <b>Q.</b> And just -- and this might be what you just  15 described, but I just want to ask you specifically and  16 just use one example. So for access controls, it says  17 in your e-mail that out of 43 controls, 23 had no  18 program practice in place. So how did you determine  19 that? Is it similar to what you just described?  20     <b>A.</b> Yes, similar to -- it's the process that I  21 used for the whole document, regardless of the type of  22 control, but I, again, used my limited knowledge. I  23 didn't look at everything in the company. We were just  24 looking at four individual SaaS products based on  25 product management input and my experience with ISO and</p> <p style="text-align: center;">55</p>
<p>1     <b>A.</b> Jim Hansen was in the product management  2 group.  3     <b>Q.</b> Okay. And then you also copied Mr. Brown and  4 Ms. Johnson, right?  5     <b>A.</b> Correct.  6     <b>Q.</b> Okay. And I know you said you don't recall  7 exactly the roles of Ikong Fu and Ross Fujii, but do you  8 have an understanding of why you would have been sending  9 this group that document?  10     <b>A.</b> I don't remember.  11     <b>Q.</b> Okay. And in the text of the e-mail  12 underneath "Good afternoon," it says: I've performed a  13 preliminary review of the 325 FedRAMP moderate controls.  14 My takeaway is that 94 percent (304) of the controls  15 will require moderate to significant level of effort to  16 implement.  17         So first of all, how did you perform that  18 preliminary review?  19         <b>MR. TURNER:</b> Objection, asked and  20 answered.  21     <b>A.</b> Again, I would take the input of the product  22 managers and leverage my knowledge around SOC 2 and ISO  23 27001 and then score. Because there are so many  24 controls -- this is just a summary of the various types,  25 and I tried to quantify it for leadership to have a</p> <p style="text-align: center;">54</p>	<p>1 SOC 2.  2     <b>Q.</b> Okay. I'm going to try and show you a native  3 version of this spreadsheet because I think it will make  4 it easier if your eyes are anything like mine.  5         Okay. So the spreadsheet should be up on  6 your screen. Do you see that?  7     <b>A.</b> Yes, I do. Thank you.  8     <b>Q.</b> And this is an electronic copy of the paper  9 copy document that's attached to your exhibit. So --  10         <b>MR. TURNER:</b> Forgive me. Is there just a  11 way of brightening this a bit? Do you have any idea?  12         <b>MR. CARNEY:</b> Sure. Let me see if I can  13 do that, brighten it. Oh, brighten your screen?  14         <b>MR. TURNER:</b> Yeah.  15         <b>MR. CARNEY:</b> That might be beyond me.  16         <b>MR. DRAKELEY:</b> We may be able to turn the  17 blinds down. We can do that. Yeah, if you can sort of  18 close -- well, that will make it -- yeah, there you go.  19         <b>THE VIDEOGRAPHER:</b> Is that a little bit  20 better?  21         <b>MR. TURNER:</b> And maybe that one, too.  22         (Momentary off-the-record discussion.)  23 <b>BY MR. CARNEY:</b>  24     <b>Q.</b> All right. So, Ms. Pierce, I'm just going to  25 ask you, for this one, I'll just give you one example.</p> <p style="text-align: center;">56</p>

1 But first, let me -- I'm going to scroll over. I'm  
2 going to go into the moderate baseline controls tab  
3 here. And you'll see there's a bunch of columns, but if  
4 you scroll over to the right, it's Column S, and it  
5 says: Kellie's comments and notes.

6 And those are your comments and notes,  
7 right?

8 **A.** Correct.

9 **Q.** And you talked about this a little bit, but --  
10 so let me give you an example then. I'm going to go  
11 down to Row -- let's say Row 19, which is Entry 17.  
12 Let's see. Make sure I got the right one.

13 All right. So this is Entry 17. And just  
14 for the record, it says it's access control and then  
15 lease privilege, authorize access to security functions.  
16 Do you see that?

17 **A.** Yes.

18 **Q.** Okay. And then -- so first of all, if you  
19 look at Column J, do you see where it says the word  
20 "process"?

21 **A.** Yes.

22 **Q.** Okay. And if I just scroll back up to the top  
23 for a second, it says -- the name of the column says:  
24 Process or product or people.

25 What is the difference between process or

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1 that specifically. This was not intended to -- you  
2 know, it may have existed. I just didn't know about it.  
3 But I didn't see it in my experience in doing a  
4 red/yellow/green.

5 **Q.** And what steps would you have taken to -- to  
6 see whether there was such a policy or not?

7 **A.** I would have really just used my best guess.

8 There wasn't a significant amount of diligence or  
9 research put into this.

10 **Q.** Okay. And when you say your best guess, would  
11 you be relying just on your own prior knowledge?

12 **A.** Correct.

13 **Q.** Okay. And were there ever circumstances where  
14 you relied on that -- that knowledge of yours and  
15 someone said, no, hold on, we do have that policy?

16 **MR. TURNER:** Objection, form.

17 **A.** Is that question in relation to this  
18 particular document?

19 **BY MR. CARNEY:**

20 **Q.** Just -- just generally for anything in this  
21 spreadsheet where you maybe concluded that there was no  
22 policy.

23 **A.** Within this exercise and this spreadsheet, no,  
24 not that I'm aware of or that I remember.

25 **Q.** And when you would make a comment like that

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1 product or people?

2 **A.** I don't know.

3 **Q.** Okay. So do you know -- so for instance, in  
4 this spreadsheet, who would have populated that column  
5 with either the word "process," "product" or "people"?

6 **A.** It could have been the product managers.

7 **Q.** Okay. All right. So I'm going to go back to  
8 where I was before, Row 19, Entry 17. And if we scroll  
9 all the way over to the right, it says -- your comment  
10 says you have -- it says: KP 6/27, you have no explicit  
11 authorization policy, nor is this document, that I am  
12 aware of, for the company or individual products.

13 So you described a little bit before how  
14 you went about doing comments generally, but for  
15 something like this specifically, how would you have  
16 reached the conclusion that there was no explicit  
17 authorization policy?

18 **A.** Again, that preliminary assessment pretty  
19 quickly done for several controls, so I would take my  
20 best guess. I hadn't seen this specific language in any  
21 of our policies.

22 **Q.** When you say "this specific language," what do  
23 you mean?

24 **A.** Like this control explicitly authorizes access  
25 to, like, the details of that control, I hadn't seen

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1 where you say: We have no explicit authorization  
2 policy, nor is this document, that I am aware of, for  
3 the company or individual products, would someone else  
4 have an opportunity to review your comment and say, yes,  
5 we do?

6 **A.** Absolutely.

7 **Q.** And who would that be?

8 **A.** Any -- anyone I sent the e-mail to could  
9 definitely provide a comment, but it was open to review.

10 **Q.** And so I'm not going to go through all these  
11 entries, but for -- specifically for the columns that  
12 you -- or the entries that you coded in red, would there  
13 have been any steps after that to take corrective action  
14 in response to it being coded in red?

15 **MR. TURNER:** Objection to form and  
16 foundation.

17 **A.** This is a preliminary assessment without any  
18 technical reviews, so these are not findings. These are  
19 basically my best guess.

20 **BY MR. CARNEY:**

21 **Q.** And so when was -- was there a point in time  
22 when the technical reviews would have taken place?

23 **A.** If the company had decided to move forward  
24 with a FedRAMP investment, at that point we would have  
25 got a third-party auditor and we would have done a lot

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<p>1 of the steps that I went over with SOC 2, reviewing the</p> <p>2 controls, making sure the engineers understood the</p> <p>3 controls, collecting evidence and then having that third</p> <p>4 party attest that we met those controls.</p> <p>5 But this is just the very basic, like,</p> <p>6 Level 1. It's a discussion for investment. So I</p> <p>7 actually don't know what happened after, you know, once</p> <p>8 this was submitted.</p> <p>9 <b>Q.</b> And you mentioned if the company had decided</p> <p>10 to move forward with the FedRAMP investment. Do you</p> <p>11 know whether the company decided to do that?</p> <p>12 <b>A.</b> I don't know.</p> <p>13 <b>Q.</b> Is that you don't know one way or the other?</p> <p>14 <b>A.</b> No, I don't.</p> <p>15 <b>Q.</b> Okay. And as I understood earlier, you had</p> <p>16 said that the FedRAMP certification was needed to sell</p> <p>17 to the federal government; is that right?</p> <p>18 <b>A.</b> That was --</p> <p>19 <b>MR. TURNER:</b> Objection to form.</p> <p>20 <b>A.</b> That was my understanding.</p> <p>21 <b>BY MR. CARNEY:</b></p> <p>22 <b>Q.</b> Okay. And it's also your understanding</p> <p>23 SolarWinds did have federal government customers?</p> <p>24 <b>MR. DRAKELEY:</b> Object to form.</p> <p>25 <b>A.</b> I don't know.</p> <p>61</p>	<p>1 recall that e-mail chain?</p> <p>2 <b>A.</b> I do, yes.</p> <p>3 <b>Q.</b> Okay. So just back to Exhibit 4 for a second,</p> <p>4 when was the last time you think you saw Exhibit 4?</p> <p>5 <b>MR. TURNER:</b> I'll object to the extent it</p> <p>6 calls for work product, the documents shown during prep</p> <p>7 sessions.</p> <p>8 You don't have to answer.</p> <p>9 <b>THE WITNESS:</b> Thank you.</p> <p>10 <b>BY MR. CARNEY:</b></p> <p>11 <b>Q.</b> All right. So focusing on Exhibit 5 for a</p> <p>12 second, is this an e-mail that you sent on August 28th,</p> <p>13 2019?</p> <p>14 <b>A.</b> Yes.</p> <p>15 <b>Q.</b> And I'm just going to ask you about some of</p> <p>16 the names up at the top that you're sending it to. So</p> <p>17 who is Keith Kuchler? And that's K-U-C-H-L-E-R.</p> <p>18 <b>A.</b> Keith was one of the leaders in the</p> <p>19 engineering group.</p> <p>20 <b>Q.</b> And what would his role have been in this</p> <p>21 FedRAMP certification assessment?</p> <p>22 <b>A.</b> I don't -- I don't recall.</p> <p>23 <b>Q.</b> Okay. And do you know Chris Day?</p> <p>24 <b>A.</b> I do.</p> <p>25 <b>Q.</b> And who is Chris Day?</p> <p>63</p>
<p>1 <b>BY MR. CARNEY:</b></p> <p>2 <b>Q.</b> Okay. All right. And if we look at the third</p> <p>3 tab from the left, I'll just pull that up on the screen</p> <p>4 right now. It says: Moderate KP metrics.</p> <p>5 So first of all, "KP" refers to you; is</p> <p>6 that right?</p> <p>7 <b>A.</b> Where do you see that?</p> <p>8 <b>Q.</b> So that's the name of the tab.</p> <p>9 <b>A.</b> Oh, the tab. Yes.</p> <p>10 <b>Q.</b> And you don't have to cross-check all the</p> <p>11 numbers in here, but does this appear to be the same</p> <p>12 chart that you included in your e-mail?</p> <p>13 <b>A.</b> Yes.</p> <p>14 <b>Q.</b> All right. You may put that one aside,</p> <p>15 please.</p> <p>16 (Exhibit 5 was marked for identification.)</p> <p>17 <b>BY MR. CARNEY:</b></p> <p>18 <b>Q.</b> Okay. Ms. Pierce, once again, take your time,</p> <p>19 please. I've handed you what's been marked as</p> <p>20 Exhibit 5; and for the record, it has on the first page</p> <p>21 Bates stamp of SW-SEC00045356.</p> <p>22 Do you recognize this document?</p> <p>23 <b>A.</b> I don't recall this specific -- this</p> <p>24 document -- or this e-mail chain.</p> <p>25 <b>Q.</b> Okay. But the previous one, Exhibit 4, you do</p> <p>62</p>	<p>1 <b>A.</b> Chris Day is currently the CIO of SolarWinds.</p> <p>2 <b>Q.</b> Okay. And do you know what his position was</p> <p>3 at -- at that time?</p> <p>4 <b>A.</b> I don't know in 2019.</p> <p>5 <b>Q.</b> And do you know Brad Cline?</p> <p>6 <b>A.</b> I do.</p> <p>7 <b>Q.</b> And it's C-L-I-N-E. Who was Brad Cline?</p> <p>8 <b>A.</b> He was on the IT team.</p> <p>9 <b>Q.</b> And if you look at the attached spreadsheet --</p> <p>10 and I'm going to show you the native one in a second,</p> <p>11 but does this appear to be a similar spreadsheet to the</p> <p>12 one that we just looked at in Exhibit 4?</p> <p>13 <b>A.</b> Yes, it looks similar.</p> <p>14 <b>Q.</b> Okay. And I know you said you don't recall</p> <p>15 this e-mail, but do you recall what the purpose of this</p> <p>16 August iteration of the controls baseline spreadsheet</p> <p>17 would have been?</p> <p>18 <b>A.</b> No, I don't remember.</p> <p>19 <b>Q.</b> All right. In the cover e-mail, if you look</p> <p>20 at the second paragraph starting with the words "in the</p> <p>21 attached spreadsheet," you'll see there's a reference in</p> <p>22 that paragraph to a staffing strawman. Do you see that?</p> <p>23 <b>A.</b> Okay. Yeah. Yes.</p> <p>24 <b>Q.</b> What did you mean by a "staffing strawman"?</p> <p>25 <b>A.</b> Normally when I use "strawman," it's a -- like</p> <p>64</p>

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<p>1 for mobile devices"?</p> <p>2 <b>A.</b> I had not seen any documentation around the</p> <p>3 access control for mobile devices, so that's what I</p> <p>4 meant.</p> <p>5 <b>Q.</b> And that -- and that was based on your sort</p> <p>6 of -- you're basing that on your own sort of personal</p> <p>7 knowledge?</p> <p>8 <b>A.</b> Yes.</p> <p>9 <b>Q.</b> And putting that aside, do you have an</p> <p>10 understanding of what an access control for mobile</p> <p>11 devices would mean?</p> <p>12 <b>A.</b> Just the rules around how access would be set</p> <p>13 up or maintained or used for mobile devices, is my</p> <p>14 understanding. I'm not sure how technically that would</p> <p>15 be implemented.</p> <p>16 <b>Q.</b> So would -- and just using this one as an</p> <p>17 example, would you have -- once you marked that red,</p> <p>18 would you have alerted anyone to the fact that, hey, we</p> <p>19 don't have a access control for mobile devices?</p> <p>20 <b>MR. TURNER:</b> Objection to form.</p> <p>21 <b>A.</b> I -- I don't recall.</p> <p>22 <b>BY MR. CARNEY:</b></p> <p>23 <b>Q.</b> Do you have an understanding as to why it</p> <p>24 would be important to have access control for mobile</p> <p>25 devices?</p> <p style="text-align: center;">73</p>	<p>1 that policy to confirm that those controls would be met</p> <p>2 by these four products for this particular</p> <p>3 certification.</p> <p>4 <b>Q.</b> And so ask me if this is a fair statement --</p> <p>5 or let me know if this is a fair statement: In contrast</p> <p>6 to the ones where you said the company does not have a</p> <p>7 policy, is this one where the company had a policy but</p> <p>8 you thought it wasn't comprehensive enough?</p> <p>9 <b>A.</b> I would say it had a -- we had a policy, but</p> <p>10 we might need to further define based on the criteria in</p> <p>11 FedRAMP.</p> <p>12 <b>Q.</b> Okay. And do you have an understanding why</p> <p>13 you would have marked this one red in that case if there</p> <p>14 was a policy?</p> <p>15 <b>A.</b> I just -- my best guess and flagging that</p> <p>16 additional work would be needed potentially.</p> <p>17 <b>Q.</b> All right. I think I just -- all right. I</p> <p>18 think I just have one more of these for you.</p> <p>19 (Exhibit 6 was marked for identification.)</p> <p>20 <b>BY MR. CARNEY:</b></p> <p>21 <b>Q.</b> Okay. Ms. Pierce, once again, take as much</p> <p>22 time as you need. But what you've been handed that's</p> <p>23 been marked as Exhibit 6 is a document with -- the first</p> <p>24 page has a Bates stamp of SW-SEC00218068, and it appears</p> <p>25 to be a September 25th, 2019 e-mail from Ms. Pierce.</p> <p style="text-align: center;">75</p>
<p>1 <b>MR. TURNER:</b> Objection to form.</p> <p>2 <b>A.</b> No, I don't know.</p> <p>3 <b>BY MR. CARNEY:</b></p> <p>4 <b>Q.</b> All right. Just one more. I promise.</p> <p>5 <b>A.</b> Okay.</p> <p>6 <b>Q.</b> Let's go to Row 44, Entry 42. In Column C it</p> <p>7 says "Access Control." Column E, "Information Sharing."</p> <p>8 And if I scroll over, you see this one also says</p> <p>9 "Process," right?</p> <p>10 <b>A.</b> I do, yes.</p> <p>11 <b>Q.</b> And then if we look at Column S, it says:</p> <p>12 6/27 KP, authorized versus unauthorized users has not</p> <p>13 been defined and policies are not fully comprehensive to</p> <p>14 meet this control.</p> <p>15 Can you tell me what -- what you meant by</p> <p>16 that statement?</p> <p>17 <b>A.</b> That we would need additional definition</p> <p>18 within an existing policy if we were to move forward</p> <p>19 with this FedRAMP certification.</p> <p>20 <b>Q.</b> And when you say that the policies are not</p> <p>21 fully comprehensive to meet this control, what do you --</p> <p>22 what does that mean?</p> <p>23 <b>A.</b> The -- again, the wording in the control was</p> <p>24 not specific in our policies, so that's, you know, my</p> <p>25 opinion. We would need to look at that -- our -- at</p> <p style="text-align: center;">74</p>	<p>1 Do you recognize this document?</p> <p>2 <b>A.</b> Yes.</p> <p>3 <b>Q.</b> Okay. And what is this document?</p> <p>4 <b>A.</b> This is the -- like, a quantified estimate for</p> <p>5 the amount of budget we would need if we wanted to move</p> <p>6 forward with the FedRAMP certification.</p> <p>7 <b>Q.</b> So you're detailing how much it would cost the</p> <p>8 company to obtain the FedRAMP certification?</p> <p>9 <b>A.</b> Estimating for a budget request as to, you</p> <p>10 know, how -- what the initial cost would be for -- for</p> <p>11 the AppMan products.</p> <p>12 <b>Q.</b> And if you -- if you flip through past the</p> <p>13 budget, the spreadsheets after this, does this appear to</p> <p>14 be -- and I'll represent I think -- and I can show it to</p> <p>15 you on the screen if you want, but that some of the</p> <p>16 columns have been hidden just to make the printout</p> <p>17 easier. But does this -- this appear to be a updated</p> <p>18 version of the spreadsheets that we were just looking</p> <p>19 at?</p> <p>20 <b>MR. DRAKELEY:</b> Object to form.</p> <p>21 <b>A.</b> This appears to be the same as in Exhibit 4</p> <p>22 with just the columns hidden.</p> <p>23 <b>BY MR. CARNEY:</b></p> <p>24 <b>Q.</b> Okay. And in your e-mail, you say that we've</p> <p>25 updated the spreadsheet with the latest figures. Do you</p> <p style="text-align: center;">76</p>



<p>1 see that?</p> <p>2 <b>A.</b> I do.</p> <p>3 <b>Q.</b> And it says -- I'm sorry. Let me strike that.</p> <p>4 It says: Hello, guys. I've updated the</p> <p>5 spreadsheet with the latest figures.</p> <p>6 So were you -- were you the one that</p> <p>7 was making the updates to the spreadsheet that's</p> <p>8 attached?</p> <p>9 <b>A.</b> I'm not sure.</p> <p>10 <b>Q.</b> And you mention in here -- well, let me back</p> <p>11 up a sec.</p> <p>12 Would that have been something that you</p> <p>13 would have done, made updates to a spreadsheet like</p> <p>14 that?</p> <p>15 <b>A.</b> More than, you know, pulling in cost estimates</p> <p>16 or resource numbers from various team members to</p> <p>17 create -- to create the spreadsheet.</p> <p>18 <b>Q.</b> Okay. And what about the -- the -- putting</p> <p>19 aside the budget spreadsheet, the controls spreadsheet</p> <p>20 that we've looked at a few times, would you have made</p> <p>21 updates to that spreadsheet?</p> <p>22 <b>MR. TURNER:</b> Objection to form. Which</p> <p>23 spreadsheet?</p> <p>24 <b>MR. CARNEY:</b> So if you look beyond the</p> <p>25 first page --</p> <p style="text-align: center;">77</p>	<p>1 <b>Q.</b> All right.</p> <p>2 (Exhibit 7 was marked for identification.)</p> <p>3 <b>BY MR. CARNEY:</b></p> <p>4 <b>Q.</b> Okay. Ms. Pierce, I've handed you what's been</p> <p>5 marked as Exhibit 7; and just for the record, this is a</p> <p>6 document Bates-stamped SW-SEC00061296. And it's a</p> <p>7 January 27th, 2020 e-mail from Ms. Pierce to</p> <p>8 Mr. Quitugua. Sorry if I'm mispronouncing that.</p> <p>9 Do you recognize this document?</p> <p>10 <b>A.</b> Yes.</p> <p>11 <b>Q.</b> And what is it?</p> <p>12 <b>A.</b> This is a security scorecard, risk scorecard.</p> <p>13 <b>Q.</b> And who is Mr. Quitugua?</p> <p>14 <b>A.</b> Eric Quitugua is -- he works in the SecOps</p> <p>15 section.</p> <p>16 <b>Q.</b> What is the SecOps section?</p> <p>17 <b>A.</b> Security operations.</p> <p>18 <b>Q.</b> And do you know what he did in that section?</p> <p>19 <b>A.</b> He was the manager of the SecOps group.</p> <p>20 <b>Q.</b> All right. And so the risk scorecard matrix</p> <p>21 that you're sending him, did you put that together, that</p> <p>22 scorecard?</p> <p>23 <b>MR. TURNER:</b> Objection to form.</p> <p>24 <b>A.</b> I don't remember how it came together exactly,</p> <p>25 but I would be, again, coordinating the PowerPoint</p> <p style="text-align: center;">79</p>
<p>1 <b>MR. TURNER:</b> Oh, okay.</p> <p>2 <b>MR. CARNEY:</b> -- there is the budget. But</p> <p>3 then after that, Ms. Pierce said that this is an updated</p> <p>4 version of the previous spreadsheet we looked at in</p> <p>5 Exhibit 4 but with some of the columns hidden.</p> <p>6 <b>BY MR. CARNEY:</b></p> <p>7 <b>Q.</b> And I'm asking whether you would have been</p> <p>8 involved in updating that spreadsheet as well?</p> <p>9 <b>A.</b> I -- the only update I see to the spreadsheet</p> <p>10 is just the columns are hidden. I don't -- I don't know</p> <p>11 if the -- if there were updates made between these two</p> <p>12 e-mails.</p> <p>13 <b>Q.</b> Okay.</p> <p>14 <b>A.</b> But I would be involved as the coordinator if</p> <p>15 I had heard -- you know, received new information or --</p> <p>16 but I don't see any changes.</p> <p>17 <b>Q.</b> Okay. And you say in your e-mail that you</p> <p>18 plan to share this with Cillian on Friday. Do you know</p> <p>19 who that is?</p> <p>20 <b>A.</b> Cillian was in the budget.</p> <p>21 <b>Q.</b> Okay. And do you know Cillian's last name?</p> <p>22 <b>A.</b> No, I'm sorry, I don't.</p> <p>23 <b>Q.</b> Okay. Do you know what Cillian's role was in</p> <p>24 the budget office?</p> <p>25 <b>A.</b> I don't remember.</p> <p style="text-align: center;">78</p>	<p>1 across various people.</p> <p>2 <b>BY MR. CARNEY:</b></p> <p>3 <b>Q.</b> All right. And with respect to the risk</p> <p>4 scorecards, though, what was your role in coordinating?</p> <p>5 <b>A.</b> Putting together the PowerPoint and</p> <p>6 circulating for input for the highlights and working</p> <p>7 with Eric or Tim or Rani on the -- on capturing the</p> <p>8 details, like a -- basically somewhat like a scribe.</p> <p>9 <b>Q.</b> And so the document that's -- that's attached,</p> <p>10 though, that's a -- does that look like a spreadsheet,</p> <p>11 though?</p> <p>12 <b>A.</b> It may have been a spreadsheet. It could have</p> <p>13 been a PowerPoint as well. I don't know.</p> <p>14 <b>Q.</b> And if you look at the -- on the front page of</p> <p>15 the e-mail, the attachment.</p> <p>16 <b>A.</b> It is Excel, okay.</p> <p>17 <b>Q.</b> Do you see that where it says --</p> <p>18 <b>A.</b> I do, yeah.</p> <p>19 <b>Q.</b> Does that indicate that it's an Excel</p> <p>20 spreadsheet?</p> <p>21 <b>A.</b> Yes, it does.</p> <p>22 <b>Q.</b> Okay. And would you have been involved in</p> <p>23 putting together this Excel spreadsheet?</p> <p>24 <b>A.</b> Yes.</p> <p>25 <b>Q.</b> And so what would have been your role in</p> <p style="text-align: center;">80</p>



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<p>1 Q. Did anyone express to you an opinion about 2 whether adding 61 percent of the controls with no 3 program or practice in place was problematic? 4 A. No. 5 MR. TURNER: Object to form. 6 A. Not that I recall. 7 (Sotto voce conversation.) 8 MR. TURNER: Do you have copies? 9 THE REPORTER: It's not -- 10 MR. CARNEY: Yeah, moving on to a new 11 one. 12 MR. TURNER: Oh, is this one you already 13 provided? 14 MR. CARNEY: Yeah, we already asked. I 15 just wanted to make sure I had the right exhibit. 16 (Exhibit 8 was marked for identification.) 17 BY MR. CARNEY: 18 Q. Okay. Ms. Pierce, I've handed you what's been 19 marked as Exhibit 8; and for the record, the first Bates 20 stamp in this document is SW-SEC00149897. And this is a 21 January 23rd, 2020 e-mail from you to a number of 22 individuals. 23 Do you recognize this, this document? 24 A. I don't remember this specific e-mail. 25 Q. Okay. If you look at the subject line of this</p> <p style="text-align: center;">85</p>	<p>1 A. I don't recall. QBR stands for quarterly 2 business review, but I don't recall the security and 3 compliance QBR. 4 Q. You don't -- I'm sorry. So you don't recall 5 there being a security and compliance QBR? 6 A. I don't -- I don't remember exactly what the 7 security and compliance QBR would have covered. 8 Q. Do you remember what your role would have been 9 with respect to the security and compliance QBR? 10 A. Similar to pretty much my entire role at 11 SolarWinds. It would have been a coordination role. 12 But I just don't remember that, what that meeting or 13 what that event was. 14 Q. And you see in your -- in your e-mail, you 15 reference the historical information for 2017, 2018 and 16 all of the 2019 detailed info. Do you see that? 17 A. I do, yes. 18 Q. And before lunch, you talked about how you 19 would have gone about gathering historical information 20 on these scores. Would you have done the same thing 21 here? So how would you have gathered that historical 22 information in this -- in this context? 23 A. Yeah, looked at previous presentations or in 24 our SharePoint. 25 Q. I think we can put that one aside.</p> <p style="text-align: center;">87</p>
<p>1 document, it says: A possible mad experiment. 2 After looking over the e-mail that you 3 sent and the attachment, do you know why you would 4 referred to this as a possible mad experiment? 5 A. No, I don't know. I don't remember. 6 Q. And having reviewed this document, you're 7 sending this to -- to Tim Brown and to Rani Johnson. 8 Can you explain what you're asking them to do here? 9 A. I was asking them to score the risk assessment 10 or the risk scorecard independently. 11 Q. And when you say "independently," what do you 12 mean? 13 A. Each had a file, so for each of them to fill 14 it out on their own. 15 Q. And when you say "each of them," are you 16 referring to Mr. Brown and Ms. Johnson? 17 A. Correct. 18 Q. And how is this different than what you had 19 previously done? 20 A. I don't remember how it was done every single 21 time, but based on this e-mail, this was just having 22 them each complete a scorecard. 23 Q. And there's a reference in the first sentence 24 to the security and compliance QBR. What's the security 25 and compliance QBR?</p> <p style="text-align: center;">86</p>	<p>1 (Exhibit 9 was marked for identification.) 2 BY MR. CARNEY: 3 Q. So, Ms. Pierce, I've handed you what's been 4 marked as Exhibit 9, and the first page of this has the 5 Bates stamp SW-SEC00015235. And the top e-mail on here 6 is a September 19th, 2019 e-mail from Kellie Pierce to 7 Eric Quitugua. 8 Do you recognize this document? 9 A. Yes. 10 Q. And what is this? What is this document? 11 MR. TURNER: The attachment or the 12 e-mail? 13 MR. CARNEY: Let's start with the e-mail. 14 BY MR. CARNEY: 15 Q. What's -- what's the e-mail? 16 A. The e-mail is to Eric providing him the 17 summary of the week self-assessment. 18 Q. And you'll notice there's an e-mail below that 19 September 18th to -- from you to Rani Johnson and Tim 20 Brown, subject: SWICUS security risk assessment. 21 Can you tell me what the purpose of that 22 e-mail to Mr. Brown and Ms. Johnson was? 23 A. To provide -- to let them know I was working 24 with Eric and Nelson on the SWICUS self-assessment and 25 identifying some of the areas that were marked red by</p> <p style="text-align: center;">88</p>

1 Do you know what that refers to?

2 **A.** No, I don't remember.

3 **Q.** Okay. And then at the bottom there, you ask

4 Mr. Fujii and Ms. Gallegos: Is there a plan in 2020 to

5 go for CC-PP?

6 Do you know what you were asking?

7 **A.** If they were going to go for the CC-PP

8 certification in 2020.

9 **Q.** And why would that have been important, if at

10 all?

11 **MR. TURNER:** Objection, foundation.

12 **A.** I don't -- I don't recall.

13 **BY MR. CARNEY:**

14 **Q.** Do you know why you would have been asking

15 them whether there was a plan to do that?

16 **A.** No, I don't remember.

17 **Q.** And then if you look at her -- Ms. Gallegos's

18 response at the top of that same page which carries over

19 from the first page that just has the sort of header

20 information, she says -- well, first of all, do you have

21 an understanding of what her response means -- her

22 response to you there?

23 **A.** No. I'm not -- I'm not familiar with the

24 common control or common criteria rankings. So it looks

25 like she's telling me that the product ARM, A-R-M, will

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1 be -- is in progress and will complete in early 2020 and

2 that they won't move forward with the CCPP in 2020.

3 **Q.** And does this CCPP relate at all to security?

4 **A.** I don't know.

5 **Q.** Okay. All right. And then just one more

6 question. On the -- on the first page, the top e-mail

7 from Ms. Gallegos, she says in sort of the third-to-last

8 sentence: While we don't currently have pressure from

9 our fed customers to adopt the PP, that could come any

10 time as the PP is not new.

11 Do you know what she's talking about,

12 pressure from fed customers there?

13 **A.** No, I don't. I don't have any idea.

14 **Q.** In your work at SolarWinds, did you have any

15 interaction with securities analysts who followed

16 SolarWinds' stock?

17 **A.** No.

18 **Q.** Did you have any responsibility for dealing

19 with the media when you were at SolarWinds?

20 **A.** No.

21 **Q.** Did you have any responsibility for responding

22 to press inquiries?

23 **A.** No.

24 **MR. CARNEY:** If I could just have a

25 minute? Thank you.

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1 **THE VIDEOGRAPHER:** We're off record at

2 2:55 p.m.

3 (Break was taken.)

4 **THE VIDEOGRAPHER:** We're back on record

5 at 2:56 p.m.

6 **BY MR. CARNEY:**

7 **Q.** I think probably just one more question,

8 Ms. Pierce. When you were at SolarWinds, were you aware

9 of any systemic security problems at the company?

10 **A.** No.

11 **MR. CARNEY:** All right. That's all I

12 have for now. Thank you very much for your time today.

13 I appreciate it.

14 **MR. TURNER:** Okay. I just have some -- a

15 little bit of redirect.

16 **MR. CARNEY:** Okay.

17 **EXAMINATION**

18 **BY MR. TURNER:**

19 **Q.** Good afternoon, Ms. Pierce.

20 **A.** Hello.

21 **Q.** So you testified earlier that FedRAMP

22 certification was needed to sell to the federal

23 government based on your understanding.

24 **A.** Correct.

25 **Q.** Sell what exactly?

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1 **A.** FedRAMP is focused on SaaS products or

2 cloud-hosted products.

3 **Q.** As distinguished from what?

4 **A.** On-prem products.

5 **Q.** So do you know whether SolarWinds ever sold

6 any SaaS products to the federal government during your

7 time at the company?

8 **A.** I don't know.

9 **Q.** Was SolarWinds required to meet FedRAMP

10 standards if it wasn't selling SaaS products to the

11 federal government, based on your understanding?

12 **A.** No.

13 **Q.** So we looked earlier at Exhibit 4, the

14 preliminary FedRAMP assessment that you prepared.

15 **A.** Yes.

16 **Q.** Remember that?

17 **A.** I do.

18 **Q.** And it attaches a spreadsheet --

19 **A.** Yes.

20 **Q.** -- that has a column with your notes in it?

21 **A.** Yes.

22 **Q.** How many hours, would you say, you spent

23 filling out those notes in the preliminary FedRAMP

24 assessment?

25 **A.** I would have spent no more than six hours on

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<p>1 this particular assessment. 2 <b>Q.</b> And that's for 325 controls? 3 <b>A.</b> Correct. 4 <b>Q.</b> So that's would you say like a few minutes per 5 control? 6 <b>A.</b> Correct. 7 <b>Q.</b> Did you conduct any detailed review of 8 SolarWinds' policies while you were filling out the 9 notes? 10 <b>A.</b> No, I did not. 11 <b>Q.</b> Did you rely on anything other than your 12 memory of those policies based on your limited 13 experience coordinating SOC 2 and ISO audits? 14 <b>A.</b> No, I did not. 15 <b>Q.</b> And what exactly were you comparing against 16 your memory of those policies? 17 <b>A.</b> The -- the policies that I was aware of 18 compared to the language in the controls. 19 <b>Q.</b> Did you have a good technical understanding of 20 what that language in the technical controls actually 21 meant? 22 <b>A.</b> No. We would need a third-party auditor to 23 really dig into that. 24 <b>Q.</b> Then you were later showed Exhibit 6 which is 25 another iteration of the spreadsheet from a few months</p> <p>125</p>	<p>1 the investment -- the projected investment that we 2 identified, we would have secured a third-party auditor 3 who would have then done the technical audit against 4 those controls and provided a report for us to, you 5 know, work with. 6 <b>Q.</b> And did the company ever do that, as far as 7 you're aware? Did it ever obtain or seek FedRAMP 8 compliance while you were at the company? 9 <b>A.</b> Not -- not that I'm aware of. 10 <b>Q.</b> You testified that the people you sent the 11 preliminary assessment to had had the opportunity to 12 review your notes and make any changes to the document 13 if they felt anything was incorrect. What did you mean 14 by that when you said that earlier? 15 <b>A.</b> This Excel was not password protected. It 16 had -- so anybody that it was sent to could have 17 reviewed the notes or made updates as -- as they saw fit 18 or let me know and I would have made the update. 19 <b>Q.</b> Given the assessment was never formalized, do 20 you have any reason to believe that anyone actually 21 reviewed your notes for accuracy? 22 <b>A.</b> I don't know if they did. 23 <b>Q.</b> Would you have expected anyone to do that? 24 <b>A.</b> No. 25 <b>Q.</b> Have you reviewed the security statement in</p> <p>127</p>
<p>1 later. Remember that? 2 <b>A.</b> Yes. 3 <b>Q.</b> And it has a column that's color coded with 4 your notes in it again. 5 <b>A.</b> Yes. 6 <b>Q.</b> And the dates in those notes appear to be the 7 same as before, 6/27, 6/28. 8 <b>A.</b> Correct. 9 <b>Q.</b> So would you have further updated your notes 10 by this point? 11 <b>A.</b> No. There would be no reason to do so. 12 <b>Q.</b> Would you have done any further review of 13 SolarWinds' policies in connection with this spreadsheet 14 by this point? 15 <b>A.</b> No. 16 <b>Q.</b> You've referred to the -- this assessment as 17 a, quote, preliminary assessment; is that right? 18 <b>A.</b> Correct. 19 <b>Q.</b> Did it ever become final or formal or was it 20 always a preliminary assessment? 21 <b>A.</b> Always a preliminary assessment. 22 <b>Q.</b> And why is that? What would have been the 23 next step if the company wanted to go beyond the 24 preliminary assessment due date? 25 <b>A.</b> If the company wanted to move forward and make</p> <p>126</p>	<p>1 advance of this deposition? 2 <b>A.</b> Yes, sir. 3 <b>Q.</b> The online security statement published on the 4 website? 5 <b>A.</b> Yes. 6 <b>Q.</b> Is there anything -- 7 MR. CARNEY: Objection, vague as to time. 8 BY MR. TURNER: 9 <b>Q.</b> Is there anything in the security statement 10 that you have any reason to believe was inaccurate 11 during your tenure at SolarWinds? 12 <b>A.</b> No. 13 <b>Q.</b> Is there anything in the preliminary FedRAMP 14 assessments you prepared that gives you any reason to 15 believe the security statement was inaccurate in any 16 way? 17 MR. CARNEY: Objection, foundation. 18 <b>A.</b> No. 19 BY MR. TURNER: 20 <b>Q.</b> If we go back to Exhibit 12 for a minute -- I 21 just had it in front of me. Here it is. 22 You were asked about this e-mail where you 23 said, in part: We have a systemic issue around lack of 24 awareness for security/compliance requirements with most 25 if not all DOIT projects.</p> <p>128</p>

**Kellie Pierce**  
**7/24/2024**

<p>1 DEPONENT'S DECLARATION UNDER PENALTY OF PERJURY</p> <p>2</p> <p>3 I, KELLIE JAIE PIERCE, do hereby declare under</p> <p>4 penalty of perjury that I have read the entire foregoing</p> <p>5 transcript of my deposition testimony, or the same has</p> <p>6 been read to me, and certify that it is a true, correct</p> <p>7 and complete transcript of my testimony given on</p> <p>8 July 24, 2024, save and except for changes and/or</p> <p>9 corrections, if any, as indicated by me on the attached</p> <p>10 Errata Sheet, with the understanding that I offer these</p> <p>11 changes and/or corrections as if still under oath.</p> <p>12 ____ I have made corrections to my deposition.</p> <p>13 ____ I have NOT made any changes to my deposition.</p> <p>14</p> <p>15 Signed: _____</p> <p style="padding-left: 40px;">KELLIE JAIE PIERCE</p> <p>16</p> <p>17 Dated this ____ day of _____, 20____.</p> <p>18</p> <p>19</p> <p>20</p> <p>21 SUBSCRIBED AND SWORN BEFORE ME</p> <p>22 THIS ____ DAY OF _____, 20____.</p> <p>23 _____</p> <p>24 (Notary Public) My Commission Expires: _____</p> <p>25</p> <p style="text-align: center;">137</p>	<p>1 CERTIFICATE OF SHORTHAND REPORTER</p> <p>2</p> <p>3 I, April Brunson, Certified Shorthand</p> <p>4 Reporter in and for the State of Texas, do</p> <p>5 hereby certify:</p> <p>6</p> <p>7 That the foregoing proceedings were</p> <p>8 taken before me at the time and place herein</p> <p>9 set forth; that any witnesses in the foregoing</p> <p>10 proceedings, prior to testifying, were duly</p> <p>11 sworn by me; that a verbatim record of the</p> <p>12 proceedings was made by me using machine</p> <p>13 shorthand to the best of my ability, which was</p> <p>14 thereafter transcribed under my direction; that</p> <p>15 the foregoing transcript is a true record of the</p> <p>16 testimony given.</p> <p>17</p> <p>18 Further, that if the foregoing pertains</p> <p>19 to the original transcript of a deposition in</p> <p>20 a Federal Case, before completion of the</p> <p>21 proceedings, review of the transcript</p> <p>22 _X_ was/____ was not requested and reserved.</p> <p>23</p> <p>24 I further certify I am neither financially</p> <p>25 interested in the action nor a relative or employee</p> <p style="text-align: center;">139</p>
<p>1 ERRATA SHEET</p> <p>2 Deposition of: KELLIE JAIE PIERCE</p> <p>3 Date taken: JULY 24, 2024</p> <p>4 Case: SEC VS. SOLARWINDS CORP., ET AL.</p> <p>5 PAGE LINE</p> <p>6 ____ CHANGE: _____</p> <p>7 REASON: _____</p> <p>8 ____ CHANGE: _____</p> <p>9 REASON: _____</p> <p>10 ____ CHANGE: _____</p> <p>11 REASON: _____</p> <p>12 ____ CHANGE: _____</p> <p>13 REASON: _____</p> <p>14 ____ CHANGE: _____</p> <p>15 REASON: _____</p> <p>16 ____ CHANGE: _____</p> <p>17 REASON: _____</p> <p>18 ____ CHANGE: _____</p> <p>19 REASON: _____</p> <p>20 ____ CHANGE: _____</p> <p>21 REASON: _____</p> <p>22</p> <p>23</p> <p>24 Signed _____</p> <p>25 Dated _____</p> <p style="text-align: center;">138</p>	<p>1 of any attorney of a party to this action.</p> <p>2</p> <p>3 IN WITNESS WHEREOF, I have this date</p> <p>4 subscribed my name : August 5, 2024.</p> <p>5</p> <p>6 _____</p> <p>7 April R. Brunson</p> <p>8 Texas CSR No. 7495</p> <p>9 Expiration Date: 4/30/2026</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> <p style="text-align: center;">140</p>